

IN RE: JAVIER ANTONIO FERNANDEZ LEON

Debtor(s)

CASE NO: 16-08050-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **10/06/2016**

First Meeting Date: **11/10/2016 at 9:00AM**

Days From Petition Date: **35**

341 Meeting Date: **11/10/2016 at 9:00AM**

910 Days Before Petition: **04/10/2014**

Confirmation Hearing Date: **12/16/2016 at 11:00AM**

Chapter 13 Plan Date: **10/12/2016** Amended

Plan Base: **\$15,600.00** Plan Docket #**9**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) Received or Evidence shown at meeting:

Total Paid In: **\$0.00**

Check/MO# MO 1241

Date: 11/2/2016 Amount: \$ 260.00

*APPEREANCES: Telephone Video Conference

Debtor: Present Absent ID & Soc. OK Joint Debtor: Present Absent ID & Soc. OK

Examined Not Examined under Oath Examined Not Examined under Oath

Attorney for Debtor(s): Not Present Present

Name of Attorney Present (Other than Attorney of Record): _____

Pro-se

Creditor(s) Present None

ASUME- Basabe

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO ARISTIDES FIGUEROA COLON***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$242.00** Outstanding (Through the Plan): **\$2,758.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) Under Above Median Income Liquidation Value: \$ 0.00

Commitment Period is 36 months 60 months §1325(b)(1)(B) Projected Disp. Inc.: \$ n/a

The Trustee: NOT OBJECTS OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ___ %

§341 Meeting CONTINUED NOT HELD CLOSED HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for: _____

Comments: _____

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]

-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has failed to submit value of the vehicle listed in Schedules B.

Debtor has failed to submit evidence of PAN income.

[1325(a)(1)] Self-employed Business Debtor - Failure to comply with her/his/their duties. [11 U.S.C.1302(b), 704(a)(2)-(7), and 704(a)(9)]

Debtor has failed to submit income and expense sheets for the 6 month period prior to the filing of the case. Debtor does not have a separate bank account for the business. (Kiosko de Frituras)

- Business Questionnaire- not submitted

-Mors or any other income evidence- not submitted.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to pay 100% of [507] priority claims.

[1322(d)(1)]

Suggested minimum base \$15,800.00.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

On ASUME account Claim 2 - JENNIFER VEGA REYES, debtor must maintain current payments, ASUME representative stated debtor has complied post petition payments.

On claim 1 - ASUME-LOIDY MORERA DIAZ, debtor only will pay arrears since children reach legal age.

-Debtor must submit contact information of DSO claimant Loidy Morera Diaz (name, telephone and address).

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Must submit additional PAN income for debtor and consensual spouse each receive \$112.00.

- In schedules it was only included the amount received by consensual spouse.

Trustee

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/s/ Juliel Perez, Esq., Presiding Officer

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Last Docket Verified: 10 Last Claim Verified: 0